

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY)
AVERAGE WHOLESALE PRICE)
LITIGATION)

MDL NO. 1456
CIVIL ACTION NO. 01-12257-PBS

THIS DOCUMENT RELATES TO)
ALL ACTIONS)
_____)

Hon. Patti B. Saris

**TRACK 1 DEFENDANTS' MOTION TO WITHDRAW MOTION FOR LEAVE TO
FILE UNDER SEAL**

The Track I Defendants hereby move this Court to withdraw the Track I Defendants' Motion for Leave to File Under Seal, docket entry 2282, filed on March 15, 2006, with respect to the following two documents:

(1) Memorandum of Law in Support of Track 1 Defendants' Joint Motion for Summary Judgment; and

(2) Track I Defendants' Statement of Undisputed Material Facts in Support of Defendants' Motion for Summary Judgment, submitted pursuant to Local Rule 56.1.

As grounds for this motion, Plaintiffs have informed the Track I Defendants that Plaintiffs no longer seek confidential treatment for portions of deposition testimony and expert reports included in the Track I Defendants' Memorandum of Law and Statement of Undisputed Facts. Plaintiffs have assented to this motion.

Dated: Boston, Massachusetts
April 7, 2006

Respectfully Submitted,

By: /s/ Lucy Fowler

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CERTIFICATION PURSUANT TO LOCAL RULE 7.1

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that counsel for plaintiff assents to this motion.

/s/ Lucy Fowler
Lucy Fowler

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was delivered on April 7, 2006 to all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2, via LexisNexis File & Serve.

/s/ Lucy Fowler
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